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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,858	04/12/2001	Tetsuji Kawashima	450100-03132	2229

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EXAMINER

HUBER, PAUL W

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/833,858

Applicant(s)

KAWASHIMA, TETSUJI

Examiner

Paul Huber

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tamai et al. (USP-5,883,869).

Tamai et al. discloses a data reproducing method and device for reading data having been written in a data recording area of a recording medium, the data being interleaved with a data linking block (link, run-in, and run-out) appended at each fixed length packet as a recording unit, and linked at a linking position in the data linking block. See figure 5, col. 1, lines 31-53. Data is read from the data recording area of the recording medium and the data thus read is de-interleaved as claimed. See col. 3, lines 61-66. "FIG. 2 is a flowchart showing typical behavior of the system control 3 of FIG. 1 during the successive data readout operation in the CD-R drive device. First, ..., the system controller 3 reads out data from a block within a designated range. If the read block is found a non-error block as a result of the error detection/correction that is performed via the encoder 5 ..., the system controller 3 reads a next block If the read block is a non-correctable error block ..., then a further determination is made ... as to whether the block is a link block. This determination can be made such as by predicting the address of a link block occurring for every packet If the error block is a link block, the block is registered in the read-error managing table 14 ..., and then the system controller 3 reads the next block..." (col. 4, lines 11-27). Accordingly, the position of the data linking block is detected by checking that the data is one having been written in units of the fixed length packet as claimed. The reading data is generated by removing the data linking block as claimed.


Claims 8-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Takeshita et al. (USP-5,986,980).

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Takeshita et al. discloses a data recording method and device for writing data to a data recording area of a recording medium. See figure 5, col. 1, lines 35-55. Specifically, data linking blocks (link, run-in, and run-out) are appended at each unit (packet) of data to continuously be written to the data recording area as claimed. See figure 3, steps S11, S14, & S17. The data to which the data linking blocks have been appended are then interleaved. See col. 4, line 63, through col. 5, line 3. Then, the data is written to the data recording area of the recording medium while linking the interleaved data at a linking position in the data linking block. See figure 3, steps S13, S14, S17. A data writing means (system controller 3) reproduces a link, run-in, run-out block and links the interleaved data by appending the reproduced link, run-in, run-out block to subsequent data. Accordingly, the data writing means reproduces one, after the linking position, of the data in the data linking block which will be placed across the linking position due to the interleaving, and linking the interleaved data by appending the reproduced data to subsequent data as claimed.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsukihashi and Inokuchi et al. each disclose a method and apparatus for recording data including data linking blocks.

Any inquiry concerning this communication should be directed to Paul Huber at telephone number 703-308-1549.



Paul Huber
Primary Examiner
Art Unit 2653